

REMARKS

In response to the election requirement of May 2, 2005, Applicant provisionally elects to pursue prosecution of Species I, which includes claims 1, 2, 4-9, 21, and 23. At least claim 1 is considered to be generic. This election is made with traverse.

Applicant respectfully submits that for such a requirement to be proper, "[t]here must be a serious burden on the examiner if restriction is not required." MPEP §803. Applicant respectfully submits that (1) all groups of claims are properly presented in the same application; (2) undue diverse searching should not be required; and (3) all claims should be examined together. For the foregoing reasons, it is respectfully submitted that the restriction/election requirement should be withdrawn and an action on the merits of all the claims is respectfully solicited.

If any issues exist, or if the Examiner has any suggestions for expediting allowance of the application, the Examiner is invited to contact the undersigned at the telephone number below.

AUTHORIZATION

The Response is timely filed. Thus, no fee is due by filing of this paper. However, the Commissioner is authorized to charge any additional fees which may be required for timely consideration of this response, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-5214.

Respectfully submitted,
MORGAN & FINNEGAN, LLP

Dated: 5/27/05By: John A. Harroun

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